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SENATE CS FOR CS FOR HOUSE BILL NO. 216(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/10/12

Referred: Judiciary

Sponsor(s): REPRESENTATIVES PEGGY WILSON, Lynn, Costello, Kawasaki, Kerttula, Johnson, Tuck

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to fiscal notes for bills directing or resulting in the adoption,**
2 **amendment, or repeal of regulations, and to the notice required for the proposed**
3 **adoption, amendment, or repeal of a regulation; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 24.08.035 is amended by adding new subsections to read:

6 (f) In addition to the other requirements of this section, if a bill directs an
7 agency in the executive branch of state government to adopt, amend, or repeal a
8 regulation or will result in an agency's adopting, amending, or repealing a regulation,
9 the department affected shall include in the fiscal note for the bill a specific time by
10 which the agency shall adopt, amend, or repeal the regulation. If the agency is not able
11 to meet the deadline set in the fiscal note, the agency shall

12 (1) set a new deadline; and

13 (2) report to the Administrative Regulation Review Committee the
14 new deadline and the reasons for being unable to meet the deadline set in the fiscal

1 note.

2 (g) In (f) of this section, "agency" includes the Alaska Housing Finance
3 Corporation, the Alaska Industrial Development and Export Authority, the Alaska
4 Energy Authority, the Alaska Public Offices Commission, and the Alaska Oil and Gas
5 Conservation Commission, but does not include other boards or commissions.

6 * **Sec. 2.** AS 44.62.200 is amended by adding a new subsection to read:

7 (d) When a state agency, other than the Regulatory Commission of Alaska, the
8 Board of Fisheries, or the Board of Game, posts, furnishes, or otherwise provides a
9 notice of the proposed adoption, amendment, or repeal of a regulation under
10 AS 44.62.190, a brief description of the changes made by the proposed adoption,
11 amendment, or repeal must accompany the notice. However, if, under
12 AS 44.62.190(a), the notice is published in a newspaper or trade or industry
13 publication or is broadcast, this subsection does not require that the brief description
14 otherwise required by this subsection accompany the publication or the broadcast. To
15 the extent practicable, the brief description shall be written in clear, easily readable
16 language that a person without a legal background is able to understand.
17 Notwithstanding AS 44.62.300, an action may not be brought for failure of the brief
18 description to comply with the requirements of this subsection relating to the
19 description of the changes or its clarity and readability.

20 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

22 **APPLICABILITY.** (a) AS 24.08.035(f) and (g), enacted by sec. 1 of this Act, apply to
23 bills that are filed on or after the effective date of this Act.

24 (b) AS 44.62.200(d), enacted by sec. 2 of this Act, applies to the proposed adoption,
25 amendment, or repeal of a regulation on or after the effective date of this Act.

26 * **Sec. 4.** This Act takes effect July 1, 2012.